IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33601 of 2007(S)

PETITIONER: RESPONDENT

SUNIL LAL P.P., POOVULLAPARAMBIL HOUSE,
P.O.POOLAKKOOL, VATAKARA TALUK, KUTTIADI,
KOZHIKODE DISTRICT.

BY ADV. SRI.K.B.ARUNKUMAR

RESPONDENT:PETITIONER

CHANDRI, KOTTAMPARAMBATH, KUTTIADI
AMSOM, VATAYAM DESOM, VATAKARA TALUK,
KOZHIKODE DIST.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.33601 of 2007

Dated: November 14, 2007

JUDGMENT

Kurian Joseph, J.

All that the petitioner seeks is the disposal of Exts.P2 and P4 petitions and to defer the proceedings for execution till a decision is taken in the matter. Since the petitioner is essentially seeking re-consideration of the order passed, we are of the view that it is only in the interests of justice that the Family Court, Kozhikode first considers Exts.P3 and P4 and till such time, the execution proceedings in CMP 123/2007 in MC 128/2006 be deferred, in the particular facts and circumstances of the case.

2. Accordingly we dispose of the writ petition directing the Family Court, Kozhikode to pass orders on Exts.P3 and P4 in accordance with law and defer further proceedings in CMP 127/2007 in MC 128/2006 till such time.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-